

**TAM NOTE 95-02**

## **TRANSPORTATION ACQUISITION MANUAL NOTICE**

**DATE ISSUED: July 16, 1995**

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### **Transportation Acquisition Manual (TAM NOTE) 95-02 SUMMARY OF ITEMS**

TAM NOTE 95-02 is issued under the authority of the Transportation Acquisition Manual (TAM) and unless otherwise specified, all material contained in this TAM NOTE is effective on the date issued. The TAM is hereby amended as specified below:

**Item I--Change in cognizant M-60 personnel listing for the Federal Acquisition Regulation (FAR), Transportation Acquisition Regulation (TAR), and TAM**

Chapter 1201, Appendix A, is changed to update the cognizant M-60 personnel responsible for specific parts/chapters of the FAR, TAR, and TAM.

*Replacement pages: Chapter 1201, Appendix A, 1201-13 thru 1201-15.*

**Item II--Changes in office identification as a result of Office of the Secretary reorganization**

Chapter 1202, Appendix A, is changed to correct office identifications within the Office of the Secretary, as the result of organizational changes.

*Replacement pages: Chapter 1202, Appendix A, 1202-5 & 1202-6.*

**Item III--Changes to Contract Information Requirements**

Chapter 1204, Appendix D, is changed to bring the TAM language in consonant with the FAR, update the Dun and Bradstreet area code, and remove the SIC Code number from the target industries list.

*Replacement pages: Chapter 1204, Appendix D, 1 & 2, 21 & 22, and 37 & 38.*

**Item IV--Changes to submittal dates for SF-281**

Chapter 1204, Appendix E, is changed to reflect the new required submission dates for the SF-281 Report (FPDS--Summary Contract Action Report (\$25,000 or Less))

*Replacement pages: Chapter 1204, Appendix E, 1 & 2.*

**Item V--Change to Acquisition Planning requirements of Chapter 1207**

Subsection 1207.101-70 is corrected/rearranged to reflect that acquisition planning is not required for certain actions between Volpe National Transportation Systems Center and DOT OAs. This change resulted in further editorial corrections. In addition, section 1207.102 is changed to permit issuance of draft RFP for all acquisitions prior to final approval of the Acquisition Plan, and to suggest issuance of another draft RFP, if the approved acquisition strategy differs from the initial draft RFP.

*Replacement pages: 1207-1 thru 1207-2.1.*

**Item VI--Change to exempt use of Form DOT F 4230.1**

Section 1213.104 is changed to exempt acquisitions of \$2,500 or less from the requirement to use Form DOT F 4230.1.

*Replacement pages: 1213-1 & 1213-2.*

**Item VII--Change to add Attachments 1 and 2 to Appendix B**

Chapter 1213, Appendix B, is modified to incorporate two new attachments (Attachments 2 and 3) as pages 1213-67.1 and 1213-67.2.

*Replacement pages: 1213-67.1 (added) & 1213-67.2 (added).*

**Item VIII--Change to delete references to TAM Bulletin**

Chapter 1213, Appendix C, is changed to delete references to a TAM Bulletin that has been incorporated into the TAM as TAM Subchapter 1213.70, Department of Transportation Purchase/Credit Card Program.

*Replacement pages:* 1213-69 & 1213-70.

**Item IX--Change paragraph number and implementation date**

Chapter 1213, Appendix C, page 1213-77, is changed to read "IX" and to reflect the accurate implementation period of "no later than October 25, 1994."

*Replacement pages:* 1213-77 & 1213-78.

**Item X--Change in title as a result of Federal Aviation Administration (FAA) reorganization**

Chapter 1215.612(b)(2)(iii), Appendix A, page 1215-15 changes the position title of the source selection official for FAA because of a reorganization. This position is at the same level within FAA as it was before the reorganization, but has been renamed "Office Director."

*Replacement pages:* 1215-15 & 1215-16.

**Item XI--Determination and Finding (D&F) for using a cost reimbursement contract**

Changes to Chapter 1216 are made as a result of the Federal Acquisition Streamlining Act to eliminate the requirement for making a contract type D&F when using a cost reimbursement contract. This change caused a change to Appendix A and created a new Appendix B to Chapter 1216.

*Replacement pages:* TOC, 1216-1 thru 1216-4.

**Item XII--Change to correct the value of Phase I and Phase II proposals**

Section 1219.7001(b)(1) is revised to correct the dollar value of "\$75,000" to read "\$100,000." In addition, section 1219.7001(b)(2) is revised to correct the dollar value of "\$500,000" to read "\$750,000."

*Replacement pages:* 1219-5 & 1219-6.

**Item XIII--Computer generated forms**

Section 1253.105 was changed to permit the computer generation of forms in a different name, content, or sequence from that illustrated in the TAR and TAM as long as its prescription in Chapter 1253.2 permits such action.

*Replacement pages: 1253-1 & 1253-2.*

**TAM NOTE 95-02 FILING INSTRUCTIONS**

**Remove Pages**

Chapter 1201, Appendix A,  
1201-13 thru 1201-15

Chapter 1202, Appendix A, 1202-5  
& 1202-6

Chapter 1204, Appendix D,  
1 & 2, 21 & 22, and 37 & 38

Chapter 1204, Appendix E,  
1 & 2

1207-1 & 1207-2

1213-1 & 1213-2

1213-69 & 1213-70

1213-77 & 1213-78

1215-15 & 1215-16

TOC, Chapter 1216

1216-1 thru 1216-4

1219-5 & 1219-6

1253-1 & 1253-2

**Insert Pages**

Chapter 1201, Appendix A, 1201-13  
thru 1201-15

Chapter 1202, Appendix A, 1202-5  
& 1202-6

Chapter 1204, Appendix D,  
1 & 2, 21 & 22, and 37 & 38

Chapter 1204, Appendix E,  
1 & 2

1207-1 thru 1207-2.1

1213-1 & 1213-2  
1213-67.1  
1213-67.2

1213-69 & 1213-70

1213-77 & 1213-78

1215-15 & 1215-16

TOC, Chapter 1216

1216-1 thru 1216-4

1219-5 & 1219-6

1253-1 & 1253-2

*(Original signed by)*

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David J. Litman  
Acting Senior Procurement Executive

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### APPENDIX A

#### LISTING OF COGNIZANT M-60 PERSONNEL FOR FAR, TAR, AND TAM

<u>PART</u>	<u>TITLE</u>	<u>PRIME</u>	<u>BACKUP</u>
1	Federal Acquisition Regulation System	Wheeler	Hackley
2	Definitions of Words and Terms	Wheeler	Hackley
3	Improper Business Practices & Personal Conflicts of Interest	Sawler	Jordan
4	Administrative Matters	Fallat	Hackley
5	Publicizing Contract Actions	Fallat	Sawler
6	Competition Requirements	Sawler	Jordan
7	Acquisition Planning	Fallat	Byrd
8	Required Sources of Supplies & Services	Weakley	Jordan
9	Contractor Qualifications	Jordan	Sawler
10	Specifications, Standards, and Other Purchase Descriptions	Byrd	Weakley
11	Acquisition & Distribution of Commercial Products	Jordan	Sawler
12	Contract Delivery or Performance	Sawler	Jordan
13	Small Purchase & Other Simplified Purchase Procedures	Weakley	Jordan
14	Sealed Bidding	Sawler	Wheeler
15	Contracting by Negotiation	Sawler	Wheeler
16	Types of Contracts	Wheeler	Sawler
17	Special Contracting Methods	Jordan	Sawler
18	Reserved	N/A	N/A

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### LISTING OF COGNIZANT M-60 PERSONNEL FOR FAR, TAR, AND TAM (CONT'D)

<u>PART</u>	<u>TITLE</u>	<u>PRIME</u>	<u>BACKUP</u>
19	Small Business & Small Disadvantaged Business Concerns	Hackley	Weakley
20	Labor Surplus Area Concerns	Hackley	Weakley
21	Reserved	N/A	N/A
22	Application of Labor Laws to Government Acquisitions	Jordan	Hackley
23	Environment, Conservation, Occupational Safety, and Drug-Free Workplace	Weakley	Jordan
24	Protection of Privacy and Freedom of Information	Fallat	Sawler
25	Foreign Acquisition	Sawler	Wheeler
26	Other Socioeconomic Programs	Hackley	Weakley
27	Patents, Data, and Copyrights	Sawler	Byrd
28	Bonds and Insurance	Jordan	Sawler
29	Taxes	Jordan	Hackley
30	Cost Accounting Standards	Wheeler	Jordan
31	Contract Cost Principles & Procedures	Wheeler	Jordan
32	Contract Financing	Jordan	Wheeler
33	Protests, Disputes, and Appeals	Jordan	Weakley
34	Major System Acquisition	Fallat	Byrd
35	Research & Development Contracting	Sawler	Wheeler
36	Construction and Architect- Engineer Contracting	Weakley	Jordan
37	Service Contracting/Advisory and Assistance Services	Jordan	Hackley

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### LISTING OF COGNIZANT M-60 PERSONNEL FOR FAR, TAR, AND TAM (CONT'D)

<u>PART</u>	<u>TITLE</u>	<u>PRIME</u>	<u>BACKUP</u>
38	Federal Supply Schedule Contracting	Weakley	Jordan
39	Acquisition of Information Resources	Sawler	Fallat
40	Reserved	N/A	N/A
41	Acquisition Of Utility Services	Byrd	Jordan
42	Contract Administration	Hackley	Byrd
43	Contract Modifications	Hackley	Byrd
44	Subcontracting Policies & Procedures	Hackley	Byrd
45	Government Property	Hackley	Sawler
46	Quality Assurance	Fallat	Weakley
47	Transportation	Hackley	Wheeler
48	Value Engineering	Weakley	Sawler
49	Termination of Contracts	Jordan	Hackley
50	Extraordinary Contractual Actions	Wheeler	Sawler
51	Use of Government Sources by Contractors	Byrd	Wheeler
52	Solicitation Provisions & Contract Clauses	Analyst Specific	Assigned Part
53	Forms	Analyst Specific	Assigned Part



OPM	Office of Personnel Management
OSDBU	Office of Small and Disadvantaged Business Utilization
OST	Office of the Secretary of Transportation
P.L.	Public Law
PM	Prenegotiation Memorandum
PMR	Procurement Management Review
PNM	Price Negotiation Memorandum
PR	Procurement Request
R&D	Research and Development
RCRA	Resource Conservation and Recovery Act
REQ	Requirements
RFQ	Request for Quotations
RFP	Request for Proposals
RLO	Records Liaison Officer
RMBCS	Rocky Mountain Bankcard System
RMO	Records Management Officer
RSPA	Research and Special Programs Administration
SBA	Small Business Administration
SCA	Senior Competition Advocate
SADBUS	Small and Disadvantaged Business Utilization Specialist
SEB	Source Evaluation Board
SES	Senior Executive Service
SF	Standard Form
SIC	Standard Industrial Classification
SLSDC	Saint Lawrence Seaway Development Corporation
SOW	Statement of Work
SPA	Special Priorities Assistance
SPE	Senior Procurement Executive
SSO	Source Selection Official
T&M	Time and Materials
TAC	Transportation Acquisition Circular
TAM	Transportation Acquisition Manual
TAM NOTE	TAM Notice
TAR	Transportation Acquisition Regulation
TARC	TAR Council
TB	TAM Bulletin
TIN	Tax Identification Number
TN	TAR Notice
UNICOR	Federal Prison Industries
USC	United States Code
USCG	United States Coast Guard
VE	Value Engineering
VECP	Value Engineering Change Proposal
VNTSC	Volpe National Transportation Systems Center

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### Office Symbols

A-1	Assistant Secretary for Public Affairs
A-30	Office of Public Information
B-1	Assistant Secretary for Budget and Programs
B-30	Office of Financial Management (formerly M-80)
C-1	General Counsel
C-10	Assistant General Counsel for Environmental, Civil Rights, and General Law
C-15	Patent Counsel
C-50	Assistant General Counsel for Regulation and Enforcement
I-1	Assistant Secretary for Governmental Affairs
J-1	Inspector General
JI-1	Assistant Inspector General for Investigations
M-1	Assistant Secretary for Administration
M-30	Office of Information Resource Management
M-34	Information Requirements Division
M-35	Transportation Computer Center
M-40	Office of Administrative Services and Property Management
M-44	Personal Property Division
M-442	Personal Property Policy Staff
M-443	Personal Property Operations Branch
M-443.2	Utilization and Storage Section
M-47	Real Property Division
M-48	Publications Services Division
M-49	Library Services Division
M-60	Office of Acquisition and Grant Management
M-61	Acquisition Systems and Resources Division
M-63	Acquisition Review Division
M-70	Office of Security
S-1	Secretary of Transportation
S-2	Deputy Secretary of Transportation
S-20	Board of Contract Appeals
S-40	Office of Small and Disadvantaged Business Utilization

1. Contract Information Requirements.

a. Information shall be reported to the Contract Information System (CIS) for the following actions:

- (1) all new contracts or orders that exceed \$25,000, or are expected to exceed \$25,000 before the contract or order is completed, from non-Federal sources for supplies, equipment, construction, and services, including research and development, commercial utilities and telecommunications, and commercial rents and leases;
- (2) all awards that exceed \$25,000, or are expected to exceed \$25,000 before the contract or order is completed, for all leased and purchased real property. In addition, report information on construction, alteration or maintenance of real property;
- (3) all awards that exceed \$25,000, or are expected to exceed \$25,000 before the contract or order is completed, under the Small Business Act, Section 8(a);
- (4) all awards that exceed \$25,000, or are expected to exceed \$25,000 before the contract or order is completed, to sheltered workshops;
- (5) all awards that exceed \$25,000, or are expected to exceed \$25,000 before the contract or order is completed, to Federal Prison Industries, i.e., UNICOR. (**NOTE:** Orders from GSA stock for UNICOR products are not reportable);
- (6) all awards that exceed \$500 under the Small Business Competitiveness Demonstration Program, established by the Small Business Competitiveness Demonstration Program Act of 1988, Title VII, P.L. 100-656, for the designated industry groups. (**NOTE:** This reporting requirement is effective for contract actions awarded through September 30, 1996);
- (7) all modifications which increase or decrease the obligated dollar value of previously reported contracts or orders;
- (8) all orders that exceed \$25,000, or are expected to exceed \$25,000 before the order is completed, placed against Federal Supply Schedules or other agency contracts;

- (9) all orders that exceed \$25,000, or are expected to exceed \$25,000 before the order is completed, placed against indefinite delivery type contracts, basic ordering agreements, and blanket purchase agreements;
  - (10) terminations or completions of previously reported contracts or orders; and
  - (11) all contract actions made with funds held in trust accounts for foreign governments or procurements for foreign governments regardless of the nature of the funds. (The term "foreign governments" includes international organizations.)
- b. The following special instructions are applicable for reporting lease and utility contracts because they are normally funded on an ongoing basis, with no annual contracts or modifications to be reported. These instructions also apply to commercial utilities and telecommunications contracts.
- (1) Report only those leases which are written by DOT.
  - (2) Leases for DOT space which are awarded by other agencies (e.g., GSA) will be reported by the awarding agency.
  - (3) If a lease or utility contract is not currently in the CIS, a complete new contract procurement action form DOT F 4220.11 must be completed for the contract using the current year estimated contract value.
  - (4) Future year contract costs must be entered as annual modifications to the contract with the fiscal year in the modification number field and the annual contract cost in the value of action field.
  - (5) Examples of completed DOT F 4220.11 forms for the initial entry of contracts are contained in Attachments 1 and 2 for utilities and leases, respectively.
  - (6) Examples of completed DOT F 4220.11 forms for modifications that represent current year funding are contained in Attachments 3 and 4 for utilities and leases, respectively.
- c. The following special instructions are applicable for reporting orders against other agency contracts including orders against contracts of other DOT operating administrations.

Blck 19 Contractor Location.

- a. Every record that reports a Kind of Action A through G must have an entry in this field. This is a 12-character field which is broken into four separate parts. The four parts represent the State, county, city, and Congressional District in which the contractor's main office is located. The absence of any of the four parts of this field (except for foreign business) will constitute an invalid submission and the record will not be accepted into the system.
- b. State Code (or Country). Enter the 2-position numeric code from FIPS Pub 55 for the State, District of Columbia, or U.S. outlying areas. Enter the 2-position alphabetic code from FIPS Pub 10-3 for foreign countries. The State code for the District of Columbia is "11".
- c. County Code. Enter the 3-position numeric code from FIPS Pub 55 for county. Leave field blank if contractor is located outside the U.S. or outlying areas. The county code for the District of Columbia is "001".
- d. City Code (Place). Enter the 5-position numeric place code from FIPS Pub 55 for the city. Note that this publication is cross-referenced by ZIP Code to assist in obtaining the correct city code. Leave this field blank if the contractor is located outside the U.S. or outlying areas. The city code for the District of Columbia is "50000".
- e. Congressional District. Enter the 2-position numeric code in which the contractor's office is located. If the contractor does not provide the district, use the "Congressional District Atlas," published by the Bureau of Census, for determining the correct district. If the Congressional District is not a 2-digit number, e.g., the Second District, place a zero in the first space and enter it as "02". Leave this field blank if the contractor is located outside the U.S. or outlying areas. The congressional district code for the District of Columbia "00."

Blck 20 Principal Place of Performance.

- a. The instructions for completing this entry are identical to those listed above under Contractor Location, except that the site where the contractor actually performs the work is to be entered in this field.
- b. If the items supplied are parts shipped from stock by a regular dealer, the place of performance is the regular dealer's location. If the items

are shipped for the regular dealer by a subcontractor who produces the items, the place of performance is the subcontractor's location. If more than one location is involved, report only the code of the location involving the largest dollar share of the contract. For construction and architect/engineer contracts, report the construction site location. If the contract is for architect/engineer design work, the place of performance is where the design work is being done. If the contract is a labor surplus area set-aside, report the city or county and state of the area that determined the preference.

- c. If the place of performance cannot be determined, report the contractor's billing location.

**Blck 21 Contractor Identification. (Contractor Establishment Code (CEC))**

- a. Every record reporting a Kind of Action A through G must have an entry in this field. This 9-position alpha-numeric field identifies the contractor establishment receiving the award and is assigned by Dun & Bradstreet. The first 8 positions are numeric and the 9th position is alphabetic.
- b. For 8(a) awards, report the CEC number of the performing contractor, not the Small Business Administration.
- c. The CEC number for awards to Federal Prison Industries, i.e., UNICOR, is **62763755G**.
- d. If the contractor does not identify its CEC number, the contracting office shall obtain one by contacting Dun and Bradstreet, Inc., by telephone or facsimile.
  - 1. Contracting offices in or outside the United States should call the following commercial number: (610) 882-7741.
  - 2. Facsimile requests should be made to the following commercial number: (610) 882-7140.
- e. Dun and Bradstreet will honor telephone requests for up to 10 CEC numbers per phone call. Requests for larger quantities should be faxed to the number in paragraph d.2., above, or mailed to:

Y - Yes, the action was awarded under the Demonstration Program.

N - No, the action was not awarded under the Demonstration Program.

Report code Y for any contract action awarded under the Demonstration Program for the 4 designated industry groups or the 10 targeted industry categories. This **includes** 8(a) awards and awards where the Type of Contractor (Bck 31) equals A, B, or C.

Otherwise, report code N.

**NOTE:** Report code N if the SIC code matches but the Product and Service code does not match one of the Designated or Targeted Industry categories listed below. Likewise, report code N when the Product and Service code matches but the SIC code does not match one of the Designated or Targeted Industry Categories.

Leave this Bck 49 blank if the Kind of Action Code (Bck 6) equals G or the award is to the Federal Prison Industries (UNICOR) i.e., the Contractor Establishment Code (Bck 21) equals 62763755G.

The designated industry groups are as follows:

- o Construction under standard industrial classification (SIC) codes that comprise major groups 15, 16, and 17 (excluding dredging -- FPDS service codes Y216 and Z216);
- o Refuse systems and related services under SIC code 4212 or 4953, limited to FPDS service code S205;
- o Architectural and engineering (A&E) services (including surveying and mapping) under SIC codes 7389, 8711, 8712, or 8713 (limited to FPDS service codes C111 through C216, C219, T002, T004, T008, T009, T014, and R404) awarded under the qualification-based selection procedures required by 40 U.S.C. 541 et seq (the Brooks A-E Act); and
- o Non-nuclear ship repair -- ship repair (including overhauls and conversions) performed on non-nuclear propelled and non-propelled ships under SIC code 3731, limited to the FPDS service codes J998 (repair performed east of the 108th meridian) and J999 (repair performed west of the 108th meridian).

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APPENDIX D  
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The targeted industry categories are designated by the Office of the Secretary of Transportation, in conjunction with the Small Business Administration, for enhanced participation by small business. The targeted industry categories are as follows:

<b>TARGETED INDUSTRY CATEGORIES*</b>	<b>FPDS Product and Service Code</b>
(1) Engineering Development	AT94
(2) Systems Engineering Services (Only)	R414
(3) Radio/TV Communication Equipment (except airborne)	5820
(4) Maintenance, Repair, and Rebuilding of engines, turbines, components and weapons equipment	J028/ J010
(5) ADP Central Processing Units: Analog	7020
Digital	7021
Hybrid	7022
(6) ADP Support Equipment	7035
(7) ADP Components	7050
(8) ADP Development Services and ADP Teleprocessing and Timesharing Services	D302/ D305
(9) Gas Turbines and Jet Engines, Aircraft; and Components	2840
(10) Radar Equipment (except airborne) and Navigation and Navigational Aids (basic research).	5840/ AT31

\* The industry categories were derived from Federal Procurement Data System Product and Service Codes Manual.



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APPENDIX E  
Page 1

### Instructions for Preparing Standard Form 281, "FPDS--SUMMARY CONTRACT ACTION REPORT (\$25,000 OR LESS)"

1. General.
  - a. A summary report, Standard Form (SF) 281, is required to report all procurement actions of \$25,000 or less which are not otherwise reported individually to the Contract Information System. A sample of this report is shown in the Attachment to Appendix E.
  - b. The SF-281 reports are not cumulative. Each report is for a given fiscal quarter and not a total figure through the fiscal year.
2. Submission and Timing. Procurement Offices shall forward the SF-281 to their Headquarters offices within 15 days after the end of each quarter except for the fourth quarter which will be 20 days. Headquarters offices shall submit a consolidated report for all procurement offices in their operating administration to the Office of Acquisition and Grant Management (M-60) within 20 days after the end of each quarter. The Headquarters offices are authorized to report this data on floppy disks in lieu of the Standard Form 281. The Headquarters offices should contact M-60 for information on the required format for disk reporting. The schedule for submission shall be as follows:

<u>Quarter Ending</u>	<u>Procurement Offices Submit SF-281 to Headquarters by</u>	<u>Consolidated SF-281 Due in M-60 by</u>
December 31	January 15	January 25
March 31	April 15	April 25
June 30	July 15	July 25
September 30	October 20	October 30

3. Line Item Entries.

a. Heading

- (1) Report Period. Enter report period dates in the space provided. In the "FY" block, enter the last two digits of the fiscal year. In the "Qtr" block, enter the appropriate digit for the fiscal quarter (1 to 4).
- (2) Report Type. Mark "original" if this is the original submission for a given quarter. Mark "revision" if this is a change or deletion to a previously submitted report. The data on the revision form will replace all data from the previous submission.
- (3) Reporting Agency Code. Enter one of the following 4 position codes from the Federal Information Processing Standards (FIPS) 95.  
  
6900 - St. Lawrence Seaway Development Corporation  
  
6901 - Office of the Secretary  
  
6920 - Federal Aviation Administration  
  
6925 - Federal Highway Administration  
  
6930 - Federal Railroad Administration  
  
6938 - Maritime Administration  
  
6940 - National Highway Traffic Safety Administration  
  
6943 - Research and Special Programs Administration  
  
6950 - U.S. Coast Guard  
  
6955 - Federal Transit Administration
- (4) Reporting Agency Name - Enter applicable agency name from paragraph 3.a.(3), above.
- (5) Contracting Office Code. Enter reporting procurement office code as found in the listing of "PROCUREMENT OFFICES REPORTING TO THE CONTRACT INFORMATION SYSTEM" (Attachment 9 of

## **CHAPTER 1207**

### **ACQUISITION PLANNING**

#### **1207.000-70 Purpose .**

This chapter establishes a disciplined Departmentwide planning procedure for procuring supplies (including systems) and services.

#### **SUBCHAPTER 1207.1--ACQUISITION PLANS**

##### **1207.101 Definitions.**

"Acquisition Plan", as used in this chapter, means a document used to fulfill the acquisition planning requirements of Appendix A to TAM Chapter 1234.

"Annual Procurement Plan (APP)" means an acquisition planning document used for forecasting the Department's yearly anticipated acquisitions.

"Streamlined Acquisition Plan" means an abbreviated version of an Acquisition Plan, as described in this subchapter.

"Plan" means an acquisition plan, an APP, or a streamlined acquisition plan.

##### **1207.101-70 Applicability.**

The type of documentation to support DOT acquisition planning is commensurate with the complexity and dollar value of the procurement(s) involved. DOT's implementation of (FAR) 48 CFR Part 7 acquisition planning requirements is as follows:

(a) All proposed acquisitions of \$50 million or more as well as those acquisitions under \$50 million which are designated as or included as part of a major acquisition in accordance with TAM Chapter 1234, Appendix A, are subject to the acquisition planning requirements contained therein.

(b) All proposed DOT acquisitions from \$5 million to \$50 million except for acquisitions involving construction and other improvements to real property (as defined in (FAR) 48 CFR Part 36) must have either an acquisition plan in accordance with TAM Chapter 1234, Appendix A, or a streamlined version of the acquisition plan containing the information described in TAM 1207.105-70.

(c) An Annual Procurement Plan (APP) shall be done for all DOT acquisitions over the small purchase limitation which are expected to be satisfied by a DOT contract (including military interdepartmental purchase requests and interagency agreements/acquisitions), except as described in paragraph (c)(3) below. An APP is required even if the acquisition is covered under subparagraphs (a) or (b) above. APPs:

(1) Are used to comply with Section 501 of Pub. L. 100-656, which requires Federal agencies to make available its Procurement Forecast to the SBA and to interested business owners;

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(2) May be used by OAs to satisfy (FAR) 48 CFR Part 7 acquisition planning requirements for actions not covered by subparagraphs (a) and (b) above;

(3) Are used, when approved, to meet the justification of need and certification requirements for advisory and assistance services under (FAR) 48 CFR 37.206(b) (see TAM 1237.206); and

(4) Are not required for:

(i) Agreements between DOT elements in which all work is performed by DOT personnel;

(ii) Emergency acquisitions (i.e., when the need for the supplies/services is of such an unusual and compelling urgency that the Government would be seriously injured if the supplies/services were not immediately acquired);

(iii) Actions subsequent to the initial submittal of an APP which have already been included as part of an approved APP (e.g., exercise of options); and

(iv) Procurements conducted under the Small Business Innovative Research Program.

(d) Acquisition Planning is not required for General Working Agreements and supporting Project Plan Agreements between RSPA/Volpe National Transportation Systems Center and DOT OAs (see (TAR) 48 CFR 1202.1). However, acquisitions (pursuant to (FAR) 48 CFR 2.101) resulting from General Work Agreements and Project Plan Agreements are subject to the acquisition planning requirements of this chapter.

### 1207.102 Policy.

(a) Acquisition planning must be initiated well in advance of the fiscal year in which contract award(s) is necessary. Preliminary acquisition efforts (e.g., defining requirements; issuing market search synopses and draft specification/statements of work; preparing and releasing draft solicitations) may be performed before the plan is completed and approved. If the approved acquisition strategy in the plan is different than what was included in the initial draft RFP, strong consideration should be given to issuing another draft RFP to inform industry of the changes.

(b) No synopsis for a solicitation may be released, solicitations issued, or funds transferred within or outside the Department until the plan has been completed and approved.

**1207.103 Agency-head responsibilities.**

**1207.103-70 Other officials' responsibilities.**

(a) *Acquisition planner.* The development of plans, and updates to them, is the responsibility of the acquisition planner (e.g., program manager). The acquisition planner is located within the requiring agency (if outside DOT) or within the requiring OA (if within DOT). The acquisition planner, among other functions, shall:

(1) form a team of individuals responsible for developing acquisition planning information pertinent to their areas of expertise;

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### **CHAPTER 1213**

#### **SMALL PURCHASE AND OTHER SIMPLIFIED PURCHASE PROCEDURES**

##### **SUBCHAPTER 1213.1--GENERAL**

###### **1213.104 Procedures.**

(i) Except for acquisitions of \$2,500 or less, Form DOT F 4230.1, Small Purchase Summary, shall be used to document purchases covered by (FAR) 48 CFR Part 13. DOT F 4230.1 shall be completed by the ordering official conducting the purchase, approved by a contracting officer or higher level official, and placed in the small purchase file.

###### **1213.106 Competition and price reasonableness.**

(b) *Purchases over 10 percent of the small purchase limitation.*

(4) The authority of the HCA under (FAR) 48 CFR 13.106(b)(4) is delegated to the COCO. Any exemption by the COCO shall be justified in writing. The need for the exemption shall be revalidated at least annually.

###### **1213.107 Solicitation and evaluation of quotations.**

(a) *Forms.* SF 18, Request for Quotations, shall be used to obtain written quotations as prescribed in (FAR) 48 CFR 13.107(a).

##### **SUBCHAPTER 1213.2--BLANKET PURCHASE AGREEMENTS**

###### **1213.203 Establishment of Blanket Purchase Agreements.**

###### **1213.203-1 General.**

(i) Optional Form (OF) 347, Order for Supplies or Services, as supplemented by Appendix A, shall be used to establish a Blanket Purchase Agreement (BPA).

###### **1213.204 Purchases under Blanket Purchase Agreements.**

###### **1213.204-70 Modifying a Blanket Purchase Agreement.**

The SF-30 shall be used to modify a BPA.

###### **1213.205 Review procedures.**

###### **1213.205-70 Review responsibility.**

(a) The contracting officer issuing the BPA, or the designated representative of the contracting officer, is responsible for the annual review of the BPA files of the authorized callers within the OA. Special care should be taken during the BPA reviews to ascertain that competition is not being limited.

(b) When the authorized callers under the BPA are not within the OA which issued the BPA, the contracting officer or the designated representative of the

contracting officer within the OA using the BPA is responsible for reviewing and documenting the BPA files.

(c) Documentation of the annual review to ascertain that applicable procedures are being followed and that prices obtained under BPAs are fair and reasonable shall be maintained in the office issuing the BPAs. Individuals designated as contracting officer representatives to conduct BPA reviews shall forward a copy of all review documentation to the office issuing the BPAs.

#### **SUBCHAPTER 1213.4--IMPREST FUND**

##### **1213.403 Agency responsibilities.**

(a) Guidance governing the use and administration of imprest funds within DOT is contained in DOT Order 2770.7 series, Imprest Fund Manual, and the Office of Financial Management (B-30) memoranda dated September 19, 1991 and October 21, 1991, which increased the limitation for single, routine imprest fund transactions to \$500 (except that travel reimbursements paid through the Washington, DC, Headquarters imprest funds are limited to \$250). Alternative measures, such as the GSA Government Travel Charge Card or travelers checks for travel advances and expenses and the Governmentwide commercial credit card or third party drafts for making small purchases should be used to the maximum extent possible to minimize the number of imprest fund transactions.

(b) HCAs shall establish procedures for designation of personnel authorized to approve requisitions and make purchases using imprest funds. HCAs may require that only contracting officers may approve requisitions using imprest funds.

##### **1213.404 Conditions for use.**

(a) The authority of the agency head under (FAR) 48 CFR 13.404(a) is delegated to the Director of the Office of Financial Management (B-30).

##### **1213.405 Procedures.**

(f) The individual making an approved purchase from the imprest fund shall be responsible for compliance with the documentation requirements of (FAR) 48 CFR 13.405(f) and DOT Order 2770.7 series. The individual having acquisition authority to approve purchases from the imprest fund shall be responsible for checking the authorized purchase requisition for compliance with the internal control requirements mandated by DOT Order 2770.7 series.

#### **SUBCHAPTER 1213.5--PURCHASE ORDERS**

##### **1213.503 Obtaining contractor acceptance and modifying purchase orders.**

(b) The SF 30 is to be used to modify a purchase order.

ROCKY MOUNTAIN BANKCARD SYSTEM\*  
I.M.P.A.C.\* PROGRAM  
CARDHOLDER STATEMENT OF QUESTIONED ITEM  
(Please print or type in black ink)

CARDHOLDER NAME (please print or type)	ACCOUNT NUMBER	
CARDHOLDER SIGNATURE	DATE	TELEPHONE NO.

The transaction in question is described below:

Transaction Date	Reference #	Merchant Name	Amount	Statement Date
------------------	-------------	---------------	--------	----------------

Please read carefully each of the following situations and check the **one** most appropriate to your particular dispute. if you have any questions, please contact us at 800/227-6736. We will be more than happy to advise you in this matter.

If the statements below are not applicable, please send a letter of explanation regarding your dispute. Please, list all pertinent information and include your account number and signature.

I. **CARDHOLDER DISPUTE**(Cannot be used until resolution is **attempted** with the merchant.)  
< > I did participate in the above transaction, however, I dispute the entire charge, or a portion, in the amount of \$\_\_\_\_\_, because (please be specific)\_\_\_\_\_

**NOTE: Provide completed description of problem, attempted resolution, and outstanding issues. Use a separate sheet of paper, if necessary, and sign your description statement.)**

II. **UNAUTHORIZED MAIL OR PHONE ORDER**  
< > I have not authorized this charge to my account. I have not ordered merchandise by phone or mail, or received any goods or services.

III. **DUPLICATE PROCESSING**  
< > The transaction listed above represents multiple billing to my account. I only authorize **one** charge from this merchant for this amount. My card was in my possession at all times.

IV. **MERCHANDISE OR SERVICE NOT RECEIVED**  
< > My account has been charged for this above listed transaction, but I have not received the merchandise or service. I have contacted the merchant but the matter was not resolved. **(Please provide a separate statement detailing the merchant contact, and the expected date to receive merchandise.)**  
< > My account has been charged for this above listed transaction. I have contacted this merchant on \_\_\_\_\_ (date) and cancelled the order. **I will refuse delivery should the merchandise still be received.**

V. **MERCHANDISE RETURNED**  
< > My account has been charged for the above listed transaction, but the merchandise has since been returned for the following reason: \_\_\_\_  
**Enclosed is a copy of my postal or UPS receipt.**

VI. **CREDIT NOT RECEIVED**  
< > I have received a credit voucher for the above listed charge, but it has not yet appeared on my account. **A copy of the credit voucher is enclosed.** (Please provide a copy of this voucher with this correspondence.)

VII. **ALTERATION OF AMOUNT**  
< > The amount of this charge has been altered since the time of purchase. **Enclosed is a copy of mu sales draft showing the amount for which I signed.**

VIII. **INADEQUATE DESCRIPTION/UNRECOGNIZED CHARGE**  
< > I do not recognize this charge. Please supply a copy of the sales draft my review. I understand that when a valid copy is sent to me, a statement of questioned item must be provided to include the copy of the sales draft if a further dispute exists. If a copy cannot be obtained, a credit will appear in my account.

IX. **COPY REQUEST**  
< > I recognize this charge, but need a copy of the sales draft for my records.

X. **SERVICES NOT RECEIVED**  
< > I have been billed for this transaction, however, the merchant was unable to provide the services for the following reason(s): \_\_\_\_\_  
< > paid for by another means. My card number was used to secure this purchase, however final payment was made by check, cash, another credit card, or purchase order. (Enclosed is my receipt, cancelled check (front & back), copy of credit card statement, or applicable documentation.

XI. **NOT AS DESCRIBED**  
< > (Cardholder must specify what goods, services, or other things of value were received.) The item(s) specified do not conform to what was agreed upon with the merchant. (The cardholder must have attempted to return the merchandise and state so in his/her complaint.)

MAIL TO: I.M.P.A.C. Customer Service, P.O. Box 173309, Denver, CO 80217-9566

V79-077-R0691

1213-67.1

TAM



BENEFITS TO YOUR COMPANY  
FOR ACCEPTING THE I.M.P.A.C. VISA CARD

TODAY, ROCKY MOUNTAIN BANKCARD SYSTEM, INC. (RMBCS) RANKS AS ONE OF THE LARGEST CARD PROCESSING COMPANIES IN THE UNITED STATES. SINCE RMBCS HAS BEEN RECOGNIZED AS A LEADING PROVIDER OF CARD SERVICE WITH MORE THAN 2-1/2 MILLION CARDHOLDERS USING VISA AND MASTERCARD CREDIT AND DEBIT CARDS, AS WELL AS CARDS FOR PROPRIETARY, PRIVATE LABEL AND AFFINITY GROUPS.

MORE THAN 500 FINANCIAL INSTITUTIONS AND 60,000 MERCHANTS RELY ON RMBCS TO PROCESS 80 MILLION VISA AT MASTERCARD TRANSACTIONS ANNUALLY.



The U.S. Government can now pay vendors with a VISA card for purchases up to \$25,000

GSA Contract Number  
GS 005-06010

- Receive payment in days, versus months, for all goods or services purchases.
- Increase sales because government employees are encouraged to make purchases from your company instead of your competitors.
- Reduce paperwork associated with purchases because SF-44 forms and imprest funds are no longer required.

What is required?

John more than 8 million merchant locations worldwide who accept VISA.

Contact your bank or Rocky Mountain BankCard System to establish a merchant relationship. If you already have a VISA merchant account, follow the same procedures as any other VISA sale.

RMBCS  
Rocky Mountain BankCard System

ELECTRONIC DRAFT CAPTURE (EDC)

Thousands of companies have switched to this advanced method of credit card processing to streamline operations. Whether you are a small or large company, Rocky Mountain BankCard System has a solution to fit your needs that will be easy to use.

- Deposits are made directly to your local bank within two business days.
- Transactions can be processed via terminal, personal computer or electronic cash register.
- Time consuming phone authorizations and warning bulletins are eliminated.

Establishing a relationship to accept the I.M.P.A.C. card is a simple process.

You can use a PC and modem or purchase an inexpensive terminal to process transactions. A RMBCS merchant representative can help you determine the method of processing that meets your needs.

Operation:

The operation is simple and easy to learn. When you accept a credit card as payment, you simply swipe the card through the magnetic stripe reader on the terminal or key in the I.M.P.A.C. card number. The terminal prompts you to enter the dollar amount of the sale before it dials out for authorization and capture. The authorization number is then recorded on the sales draft.

Reporting:

Rocky Mountain BankCard System provides a Merchant Monthly Activity Statement recapping all account activity for the month.

The discount rate is calculated on net sales for the month. The charge is automatically debited from your bank account between the second and tenth business day of the following month.

Should you be a merchant with multiple locations, etc., additional reporting of each stores activity is available to a main office or corporate headquarters.

Customer Service:

Customer service representatives will be available to answer any questions and to provide you with any information. Additionally, the RMBCS "Help Desk" is available 24 hours a day, 7 day a week. Service levels are monitored and controlled to guarantee that your company receives prompt and responsible service.

If you would like additional information regarding Electronic Draft Capture, please contact our Electronic Draft Capture Marketing Department at 1-800-525-3717, ext. 2526.

Rocky Mountain BankCard System, Inc., P.O. Box 5952, Denver, CO 80217, (303) 629-7755

H. "Training" as defined in the Government Employees Training Act (GETA), 5 U.S.C. 4101(4), means the process of providing for and making available to an employee, and placing or enrolling the employee in, a planned, prepared, and coordinated program, course (including correspondence), curriculum, subject, system, or routine of instruction of education, in scientific, professional, technical, or mechanical trade, clerical, fiscal, administrative, or other fields, which will improve individual and organizational performance and assist in achieving the agency's mission and performance goals. For the purposes of these procedures, the term includes meetings, seminars, conferences, symposia and associated course training materials (i.e., study plans, workbooks, handbooks, and manuals) furnished with the training. It is not appropriate to use the SF-182 for the sole purpose of acquiring "stand-alone" training supplies.

### **III. POLICY.**

No employee of DOT, other than a contracting officer or a recipient of a Delegation of Procurement Authority (DPA), operating within the limits of his or her authority, may enter into formal contracts, authorize contract modifications or otherwise bind, commit or obligate the Government contractually for training.

DPA recipients are only authorized to procure training under the conditions prescribed in paragraph IV. below. Otherwise, training must be procured by warranted DOT contracting officers.

Training shall be acquired within the limitations and procedures of the GETA, FAR, TAR, TAM, and the Departmental Personnel Manual (DPM). If the acquisition is accomplished through the use of the purchase/credit card, the policies and procedures set forth in the DOT Purchase/Credit Card Program (TAM Bulletin TB 94-03) dated March 9, 1994, and OA purchase/credit card procedures shall also be followed.

### **IV. APPLICABILITY.**

The policies and procedures set forth herein apply to the Office of the Inspector General (OIG) and the OAs when:

A. A DPA has been issued to a specific individual authorizing the acquisition of supplies or services in support of the Department of Transportation;

B. The training cost for an individual student or training requirement does not exceed the lesser of:

- a limitation set forth in an individual's DPA; or
- the small purchase limitation established by FAR Part 13;

C. The annual reasonably foreseeable aggregate training cost for a training requirement does not exceed the small purchase limitation (i.e., it would be inappropriate to segregate a known requirement for several courses on a specific subject into an individual requirement by date of offering or other means in

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order to circumvent the small purchase limitation and, therefore, avoid sending the requirement to a contracting office for processing);

D. The training cost is based upon pre-established fixed catalog or market prices;

E. The training is available from a Government source of supply (i.e., General Services Administration, Office of Personnel Management, etc.) OR is commercially available/off-the-shelf or modified commercially available off-the-shelf as set forth in paragraph VI.G. below; and

F. The contracting methods discussed in paragraphs V.C. or VI.C. below are used to acquire training services.

### **V. ACQUISITIONS OF \$2,500 OR LESS:**

The DOT Purchase/Credit Card Program, is the preferred method of acquiring all training services in an amount of \$2,500 or less. Every effort shall be made to provide purchase/credit cards to individuals (normally human resources management personnel) who are responsible for acquiring training services of \$2,500 or less in support of their activity.

#### **A. Small purchase training.**

Each prospective DPA recipient will be required to attend small purchase training equivalent to the purchase/credit card training conducted by the OA (see Appendix B, Chapter V.C.).

#### **B. Delegation of Procurement Authority (DPA).**

1. Appendix B details the process for identifying prospective cardholders and processing card account set-up forms, and the required procurement, finance and property control training. Upon completion of the small purchase training, an individual who has been granted a purchase/credit card DPA and issued a card is authorized to acquire training services within the limits of the DPA, the policies and procedures for the use of the purchase/credit card set forth in Appendix B, and the OA purchase/credit card procedures.

2. Copies of pertinent acquisition regulations referenced in these procedures (including the DOT/OA purchase/credit card procedures), if not received as part of the small purchase training, shall be requested from the cognizant COCO by the Purchase/Credit Card Program approving official when preparing and submitting cardholder account set-up forms.

3. DPA recipients shall be appointed in writing. A memorandum similar to the sample at Attachment 1 shall be used to grant a purchase/credit card DPA. At the discretion of the OA and the cognizant COCO, a purchase/credit card DPA and a DPA for acquiring training services in amount of \$2,500 or less can be combined.

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contract or contract modification, and reviewing and approving contract awards or modifications (FAR 3.104-4).

### **VIII. AUDIT AND REVIEW.**

The DPA granting official is responsible for reviewing a random sample of the official order files and control logs to ensure that authorized procedures are being followed. The reviews shall be conducted no less frequently than every three years from the implementation date of these procedures. Written documentation of the results of these reviews shall be maintained by the cognizant contracting office and the records shall be made available to reviewing activities (i.e., GAO, OIG, DOT) on an as-required basis.

### **IX. IMPLEMENTATION.**

These procedures may be used immediately, but shall be fully implemented no later than October 25, 1994.

#### **List of Attachments:**

Attachment 1	Sample DPA (Purchase/Credit Card)
Attachment 2A & 2B	OST Office of Financial Memoranda of 9/19/91 and 10/21/91
Attachment 3	Sample request for DPA (Training Services)
Attachment 4	Sample DPA (Training Services)
Attachment 5	SF-182 Supplemental Terms and Conditions--DOT
Attachment 6	Sample Sole Source Justification
Attachment 7	Small Purchase Summary, DOT F 4230.1
Attachment 8	Procurement Integrity Certification

S A M P L E

ACTION: Delegation of Procurement Authority  
Number DT \_\_\_\_ \*-DPA-\_\_\_\_ \*\*

\_\_\_\_\_  
Chief of the Contracting Office

\_\_\_\_\_  
DPA Recipient (Name, OA, Routing Symbol)

You are hereby delegated the authority to purchase supplies or services and pay for such purchases using the International Merchant Purchase Authority Card (IMPAC), the current name of the Governmentwide Commercial Credit Card Program. No single purchase under this authority may exceed \$2,500 or 10 percent of the small purchase limitation, whichever is lower, and is in accordance with further limitations which may be imposed upon you by your Approving Official. Supplies or services may be purchased, consistent with your organizational responsibilities and monthly purchase limits established by the Approving Official designated to review your purchases.

This delegation does not authorize you to purchase supplies or services on the open market that are required to be obtained from mandatory sources of supply (see Federal Acquisition Regulation (FAR), Part 8), nor does it authorize you to procurement supplies or services for which procurement responsibility has been assigned to another organizational element. You are authorized to use the IMPAC for purchases not exceeding \$2,500 under General Services Administration (GSA) Federal Supply Schedule contracts from contractors who will accept the IMPAC.

All purchases must be made in accordance with applicable laws and regulations including, but not limited to, the FAR, the applicable GSA purchase/credit card contract (currently IMPAC which is the registered trademark of the Rocky Mountain Bankcard system), the DOT Purchase/Credit Card Program (Transportation Acquisition Bulletin TB 94-03), and OA purchase/credit card procedures.

This delegation shall automatically terminate upon your separation from the Department or reassignment to another office within the Department.

NOTE: At the discretion of the OA and the cognizant COCO, the purchase/credit card DPA and a DPA to acquire training services (see Attachment 3, which can be modified to indicate a purchase limitation in an amount of \$2,500 or less) may be combined into one delegation memorandum.

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### (b) Policy and Procedures .

It is the goal of the Government to obtain the best value for any product and/or service being procured; this is especially true for complex, high dollar, negotiated procurements. It is essential to determine in an impartial, equitable, and sound manner the source(s) that will provide such value. To ensure sound selection decisions, this subchapter provides guidance and general and specific policies and procedures for formally conducting source evaluations and selections.

(1) Initiation of Formal Source Selection Procedures . An SSO is designated to determine which offeror(s) shall be awarded the contract. The acquisition strategy and the criteria to be used in evaluating offers are detailed in a Selection Plan (SP) which is developed and approved in the early stages of a procurement.

(2) SSO Authority . The Deputy Secretary is the SSO for all procurements subject to this subchapter (see TAM 1215.612(a)) except as noted below. Further redelegation is not authorized unless specifically approved by the Deputy Secretary.

(i) For Levels I and II acquisitions (see TAM 1234, Appendix A), the Head of the Operating Administration (HOA) for the Federal Aviation Administration and the Coast Guard or his/her Deputy may serve as the SSO for their respective acquisitions. For individual procurements within a Level I or II acquisition which are below \$150 million, the applicable delegation levels specified in subparagraphs (ii) - (iv) below may be utilized if so authorized in an approved Acquisition Plan (AP) - e.g., the Administration Acquisition Executive may serve as the SSO for an \$80 million procurement which is part of a Level I or II acquisition if authorized in an approved AP.

(ii) For Level III acquisitions (see TAM 1234, Appendix A), the HOA or designee, at a level no lower than the Administration Acquisition Executive, may serve as the SSO. For individual procurements within a Level III acquisition which are below \$50 million, the applicable delegation levels specified in subparagraphs (iii) and (iv) below may be utilized if so authorized in an approved AP - e.g., a flag officer or member of the Senior Executive Service (SES) may serve as the SSO for a \$14 million procurement which is part of a Level III acquisition if authorized in an approved AP.

(iii) For acquisitions of \$20 million to less than \$50 million, the HOA or designee, at a level no lower than the Office Director (FAA only)/Associate Administrator/Regional Administrator/Coast Guard Chief of Staff, may serve as the SSO.

(iv) For acquisitions of \$5 million to less than \$20 million, the HOA or designee, at a level no lower than flag officer/SES, may serve as the SSO.

(3) Establishment of the Source Evaluation Board . Once the SP has been approved, a board, known as a Source Evaluation Board (SEB), comprised of members from various disciplines (e.g., program, technical, legal, pricing, budget, and contracting personnel), is formally established. The SEB is responsible for thoroughly and fairly evaluating proposals in accordance with the criteria contained in the SP and the solicitation and

reporting its findings to the SSO so that he/she can make the selection decision. SEB members are expected to apply sound judgment in determining appropriate variations and adaptations necessary in individual situations, provided that these do not constitute a departure from the basic concepts and intent of the selection plan and the solicitation.

(4) Oversight Boards . Operating Administrations may establish oversight boards comprised of senior management officials to assist the SSO. The establishment of these boards, their responsibilities and the procedures to be followed, shall be a matter of separate agreement between the Office of the Secretary and the Operating Administrations.

(5) Streamlining Techniques . Streamlining techniques, such as sending out draft specifications, statements of work, and RFPs to industry for comment, limiting the size of proposals and the number of people on SEBs and evaluation teams, sequestering evaluation team members, making award without discussions, providing periodic briefings to the SSO throughout the acquisition process, etc., are to be utilized whenever possible to ensure that procurements are awarded in an efficient and expeditious manner. Good planning and early document preparation are critical to reducing the time between release of the RFP and award of a contract.

(6) Documentation Requirements . All documents required by this subchapter (e.g., SP, Competitive Range Determination, Final SEB Report, etc.) must be compatible with relevant issues contained in other DOT documents required by the Transportation Acquisition Regulation (TAR), Transportation Acquisition Manual (TAM), or DOT Orders (e.g., Mission Need Statement, Acquisition Plan, Negotiation Memoranda, etc.).

**(c) Responsibilities.**

(1) Source Selection Official . The SSO is responsible for the proper and efficient conduct of the entire source selection process. The SSO has, subject to law and applicable regulations, full responsibility and authority to select the source(s) for award and approve the execution of the contract(s). The SSO's responsibilities include:

(i) reviewing and approving the SP in writing, including any subsequent change to the evaluation criteria or acquisition strategy;

(ii) ensuring that the SEB and any established oversight boards are properly constituted and include all the necessary disciplines;

(iii) approving, as part of the SP approval, utilization of non-Governmental personnel who shall serve as advisors during the source selection process;

(iv) obtaining required conflict of interest documentation from the SEB Chairperson and other established oversight boards' Chairpersons, providing that documentation to legal counsel for review, and ensuring that the documentation is safeguarded;

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## **CHAPTER 1216**

### **TYPES OF CONTRACTS**

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### CHAPTER 1216

#### TYPES OF CONTRACTS

##### SUBCHAPTER 1216.2--FIXED-PRICE CONTRACTS

**1216.206 Fixed-ceiling-price contracts with retroactive price redetermination.**

**1216.206-3 Limitations.**

(d) The authority of the HCA under (FAR) 48 CFR 16.206-3(d) must be retained at the HCA or higher level.

##### SUBCHAPTER 1216.3--COST REIMBURSEMENT CONTRACTS

**1216.306 Cost-plus-fixed-fee contracts.**

(c)(2) The authority of the agency head under (FAR) 48 CFR 16.306 is delegated to the contracting officer. When making the required determination and findings, the contracting officer shall use a format substantially the same as the format found in Appendix A to this chapter.

##### SUBCHAPTER 1216.5--INDEFINITE-DELIVERY CONTRACTS

**1216.501 General.**

(b)(2) The procurement request initiator shall prepare a written statement outlining the basis and methodology for determining the estimated quantity under an indefinite-quantity contract and a requirements contract.

**1216.506 Ordering.**

(b) See TAM 1232.702-70 for additional requirements pertaining to oral orders.

##### SUBCHAPTER 1216.6--TIME-AND-MATERIALS, LABOR-HOUR, AND LETTER CONTRACTS

**1216.601 Time-and-materials contracts.**

(c) *Limitations.* When making the required determination and findings, the contracting officer shall use a format substantially the same as the format found in Appendix B to this chapter.

**1216.602 Labor hour contracts.**

When making the required determination and findings, the contracting officer shall use a format substantially the same as the format found in Appendix B to this chapter.

## **1216.603 Letter contracts.**

### **1216.603-2 Application.**

(c) The authority of the HCA under (FAR) 48 CFR 16.603-2(c) is delegated to the COCO. Extensions to the definitization of a letter contract shall be approved by the COCO. See TAM 1243.70 for other requirements applicable to letter contracts as undefinitized contract actions.

### **1216.603-3 Limitations.**

The authority of the HCA under (FAR) 48 CFR 16.603-3 is delegated to the COCO.

(a) Requests for authority to issue a letter contract shall include as a minimum:

- (1) the name and address of the proposed contractor;
- (2) the location where the contract is to be performed;
- (3) the contract number, including modification number, if applicable;
- (4) a brief description of the work or services to be performed;
- (5) the amount of the letter contract;
- (6) the performance period or delivery schedule;
- (7) the estimated total amount of the definitive contract;
- (8) the type of definitive contract to be executed (firm-fixed-price, cost-plus-award-fee, etc.);
- (9) a statement that the definitive contract will contain all required clauses or that deviations to the required clauses have been obtained;
- (10) a statement as to the necessity and advantage to the Government of a letter contract and why no other contract type is suitable; and
- (11) a statement as to the competition received pursuant to (FAR) 48 CFR 16.603-3(b).

(b) Profit or fee under letter contracts shall not be paid until after definitization of the letter contract (see (TAR) 48 CFR 1252.216-74).

(c) Letter contracts shall contain the appropriate sections of the uniform contract format as discussed at (FAR) 48 CFR 15.406 as practicable.

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## APPENDIX A

### DETERMINATION AND FINDINGS

Within the Fee Limitation of FAR

#### FINDINGS

1. The *(specify OA and contracting office within the OA)* of the Department of Transportation proposes to contract for (describe the supplies and/or services being procured and identify program/project, if applicable).
2. The *(specify estimated cost or target cost)* of the contract is \$                    <sup>1</sup>.
3. These findings are made pursuant to *(specify 41 U.S.C. 254(b), except for USCG, specify 10 U.S.C. 2306(d))*.

#### DETERMINATION

On the basis of the above findings, I hereby determine that the price or fee will not exceed the statutory limitations of (FAR) 48 CFR 15.903.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Approving Official

-----  
<sup>1</sup> Add the following, as appropriate:  
**For a CPFF:** "plus a fixed fee of \$                     which is                      percent of the estimated cost, exclusive of fee. This fee percentage is within the fee limitations of (FAR) 48 CFR 15.904.

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## APPENDIX B

### DETERMINATION AND FINDINGS

Authority to use a *(specify Time and Materials, or Labor Hour)* contract

### FINDINGS

1. The *(specify OA and contracting office within the OA)* of the Department of Transportation proposes to contract for *(describe the supplies and/or services being procured and identify program/project, if applicable)*.

2. The estimated amount of the contract is \$\_\_\_\_\_.

3. *(Explain why no other type of contract is suitable for procuring the supplies or services of the kind or quantity required without using the proposed type of contract.)*

### DETERMINATION

On the basis of the above findings, I hereby determine that no other type of contract other than a *(specify a Time and Materials or Labor Hour contract)* is suitable for this procurement.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Approving Official

ability to perform the proposed acquisition. The justification must state why the firm was selected in preference to other 8(a) firms.

#### **1219.804 Evaluation, offering, and acceptance.**

##### **1219.804-4 Repetitive acquisitions.**

Any requirement which has previously been procured through the 8(a) Program, but which is now being proposed for reprocurement outside of the 8(a) Program must be approved by the Director, OSDBU, in accordance with OA procedures. The clearance shall be obtained prior to any public notice or solicitation of the requirement.

##### **1219.805 Competitive 8(a).**

##### **1219.805-2 Procedures.**

Appendix C is the U.S. Small Business Administration's "Guidelines for 8(a) Competition".

##### **1219.810 SBA appeals.**

The authority of the agency head under (FAR) 48 CFR 19.810(a), (b), and (c) is delegated to the COCO.

##### **1219.812 Contract administration.**

The authority of the agency head under (FAR) 48 CFR 19.812(d) is delegated to the COCO.

#### **SUBCHAPTER 1219.70--SMALL BUSINESS INNOVATION RESEARCH PROGRAM**

##### **1219.7001 Small Business Innovation Research (SBIR) Program.**

(a) The Small Business Innovation Development Act of 1982 (Pub. L. 97-219) and reauthorizing legislation (Pub. L. 99-443) and the Small Business Research and Development Act of 1992 (Pub. L. 102-564) seek to encourage the initiative of the private sector and to use small businesses as effectively as possible in meeting Federal research and development objectives. Each agency is required to set aside a percentage of their budget for a Small Business Innovation Research Program (SBIR). To comply with obligations of the Act, DOT established a Small Business Innovation Research Program which conforms to these public laws and to guidelines and regulations of the Small Business Administration. By memorandum dated November 5, 1992, the Secretary delegated to the DOT Transportation System Center, the overall responsibility for coordinating and implementing the DOT SBIR.

(b) Annually, DOT solicits from small businesses, innovative research proposals that address high priority requirements of the DOT and have potential for commercialization. The DOT SBIR Program is a three-phase process:

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(1) Phase I is the conduct of feasibility-related experimental or theoretical research or Research and Development (R&D) efforts on specified research topics. The dollar value of the proposal should not exceed \$100,000 and the period of performance may be up to six months. The primary basis for award will be the scientific and technical merit of the proposal and its relevance to DOT requirements. Only awardees in Phase I are eligible to participate in Phase II.

(2) Phase II is the principal research or R&D effort having a period of performance of approximately two years with a dollar value of up to \$750,000. Phase II proposals under the SBIR Program are accepted only from firms which have previously received a DOT Phase I award. Awards would be based upon the results achieved in Phase I, the technical merit of the Phase II proposals, potential for commercialization and commitment for follow-on funding from non-federal sources for Phase III.

(3) Phase III is to be conducted by the small business with nonFederal funds to pursue commercial applications of the research or R&D funded in Phases I and II by DOT. Phase III may also involve follow-on non-SBIR funded contracts with components of DOT for products or processes for use by the Government.

### **1219.7002 Eligibility requirements.**

To be eligible under the DOT SBIR Program, the firm must qualify as a small business for research or R&D purposes; the primary employment of the principal investigator must be with the proposing firm at the time of award and during the proposed research effort; and, the research or R&D work must be performed in the United States, including its territories and possessions. Questions regarding the DOT SBIR Program should be addressed to the following:

DOT/SBIR Program Office, DTS-22  
U.S. Department of Transportation  
Research & Special Programs Administration  
Volpe National Transportation Systems Center  
55 Broadway, Kendall Square  
Cambridge, Massachusetts 02142-1093  
ATTN: DOT SBIR Program Director  
Telephone: (617) 494-2051      FAX: (617) 494-2497

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## **CHAPTER 1253--FORMS**

### **SUBCHAPTER 1253.1--GENERAL**

#### **1253.105 Computer generation.**

Operating administrations may computer-generate the forms prescribed in the TAR and this manual. Unless otherwise permitted in this chapter, computer-generated forms shall not change the name, content, or sequence of the data elements and shall carry the assigned number (e.g., Form DOT F 4220.12) and edition date.

### **SUBCHAPTER 1253.2-- PRESCRIPTION OF FORMS**

#### **1253.203-70 Source selection information.**

The following form is prescribed for use in notifying recipients that the document contains source selection information, as specified in TAM 1203.104-5(b)(1)(iii):

*DOT Form F 4220.35, Cover Page Source Selection Information.* (See TAM 1203.104-5(b)(1)(iii).) DOT Form F 4220.35 is authorized for local reproduction and a copy is furnished for this purpose in Chapter 1253 of the loose-leaf edition of the TAM.

#### **1253.203-71 Proprietary information.**

The following form is prescribed for use in notifying recipients that the information or portions thereof is proprietary information related to the conduct of a Federal agency procurement, as specified in TAM 1203.104-5(b)(1)(ii):

*DOT Form F 4220.36, Cover Page Proprietary Information.* (See TAM 1203.104-5(b)(1)(ii).) DOT Form F 4220.36 is authorized for local reproduction and a copy is furnished for this purpose in Chapter 1253 of the loose-leaf edition of the TAM.

#### **1253.203-72 Procurement integrity.**

The following form is prescribed for use as a procurement integrity certification for departing officials and employees, as specified in TAM 1203.104-5(d)(2)(ii):

*DOT Form F 4220.38, Procurement Integrity Certification - Departing Officials and Employees.* (See TAM 1203.104-5(d)(2)(ii).) DOT Form F 4220.38 is authorized for local reproduction and a copy is furnished for this purpose in Chapter 1253 of the loose-leaf edition of the TAM.

#### **1253.204-70 DOT Contract Information System (CIS) data input.**

The following form is prescribed for use when inputting information to the Federal Procurement Data System via the CIS, as specified in TAM 1204.6:

*DOT Form F 4220.11, DOT CIS Data Input Form.* (See TAM 1204.6.) DOT Form F 4220.11 is authorized for local reproduction and a copy is furnished for this purpose in Chapter 1253 of the loose-leaf edition of the TAM.

#### **1253.205-70 Contract award notification.**

The following form is prescribed for use for public and Congressional notification of contract awards, as specified in TAM 1205.303(a)(1):

*DOT Form F 4220.41, Contract Award Notification.* (See TAM 1205.303-(a)(1).) DOT Form F 4220.41 is authorized for local reproduction and a copy is furnished for this purpose in Chapter 1253 of the loose-leaf edition of the TAM.

#### **1253.207-70 Annual Procurement Plan (APP).**

The following form is prescribed for use when preparing APPs, as specified in TAM 1207.105-71:

*DOT Form F 4220.12, Annual Procurement Plan (APP).* (See TAM 1207.105-71.) DOT Form F 4220.12 is authorized for local reproduction and a copy is furnished for this purpose in Chapter 1253 of the loose-leaf edition of the TAM.

#### **1253.209-70 Responsibility determination.**

The following form is prescribed for use to make the determination and document that a contractor is/is not responsible, as specified in TAM 1209.105-2:

*DOT Form F 4220.1, Responsibility Determination.* (See TAM 1209.105-2.) DOT Form F 4220.1 is authorized for local reproduction and a copy is furnished for this purpose in Chapter 1253 of the loose-leaf edition of the TAM.

#### **1253.212-70 Special priorities assistance.**

The following form is prescribed for use when requesting special priorities assistance, as specified in TAM 1212.303(g):

*Form ITA-999, Request for Special Priorities Assistance.* (See TAM 1212.303(g).) Form ITA-999 is authorized for local reproduction and a copy is furnished for this purpose in Chapter 1253 of the loose-leaf edition of the TAM.

#### **1253.213-70 Small purchasing.**

The following form is prescribed for use on small purchase actions, as specified in TAM 1213.104(i):

*Form DOT F 4230.1, Small Purchase Summary.* (See TAM 1213.104(i).) Form DOT F 4230.1 is authorized for local reproduction and a copy is furnished for this purpose in Chapter 1253 of the loose-leaf edition of the TAM.